THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No: 11455 of 1993

Between:

Ch.Mallaiah, S/o.Premaiah.

..... PETITIONER

AND

The Superintendent Engineer, (Operations) and others.

.....RESPONDENTS

ORDER:

The relief sought for in this writ petition is for a direction to the respondents to appoint him as helper in the existing vacancies or in the future vacancies.

Facts, to the extent necessary, are that the petitioner was appointed as an N.M.R. casual labourer in the office of the third respondent for various periods from 15-08-1970 till 1974 and again from 23-11-1979 to 24-01-1980. The first respondent issued memo dated 26-08-1985 directing absorption of all ex-casual labourers against vacant posts provided they pass four tests: (a) Read and Write; (b) Meter Reading;

(c) Pole Climbing; and (d) Cycling. The petitioner is said to have been interviewed pursuant to the said memo dated 26-08-1985 and since he failed in the read and write test, his case was not considered for appointment.

Sri S.Ashok Anand Kumar, learned counsel for the petitioner, would however refer to the Board's Memo dated 14-09-1993, wherein it was decided to consider the cases of ex-casual labour, who had not succeeded in the earlier selection process. Learned counsel would also refer to the averment in the counter affidavit that the petitioner's name would be considered on merits and in case the petitioner passes the relevant test, he would be considered for appointment on merits. Learned counsel would also submit that this court, by order in W.P.M.P.No.14460 of 1993 in W.P.No.1145 of 1993, dated 31-12-1993, had directed the respondents to consider the case of the petitioner in terms of memo dated 14-09-1993.

Both Sri S.Ashok Anand Kumar, learned counsel for the petitioner and Sri Samineni Kishore, learned standing counsel for the respondents, are not in a position to state as to whether the case of the petitioner was considered in accordance with the interim orders of this court, dated 31-12-1993 and in accordance with the memo dated 14-09-1993. Suffice to state that in view of the interim directions passed by this court on 31-12-1993 and in view of the averment in the counter affidavit that the petitioner's case would be considered in accordance with the memo dated 14-09-1993, no further orders are necessary in this writ petition.

The writ petition is accordingly disposed of. No order as to costs.

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07-02-2006

Prv